

CTJ/RMT

ORIGINAL

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FT. WORTH DIVISION

Bryan Kerr Dickson #39172-177

U.S Penitentiary

Po Box 24550

Tucson, A.Z 85734

2010 APR -5 PM 4:06

CLERK OF COURT

Clerk Of U.S District Court

Attention: Appeal Division

501 West 10th Street; Room310

Fort Worth, Texas 76102

4:09. CR. D40. A (DI)

Dear Sir(s) or Madam(s),

I would like to file a 18 U.S.C 2252/4 on my Trail Lawyer, Mr Matthew Belcher, Assistant Federal Public Defender, 819 Taylor Street, Room 9A10, Fort Worth, Texas 76102. He did very little in defending me against my charges. I would also like to file a 18 U.S.C. 2252/4 on my Appeal Lawyer, Mr William R. Biggs, Assistant Federal Public Defender, 525 Griffin Street, Suite 629, Dallas, Texas 75202. He has done nothing for me as of this day. My Original notice of appeal was filed with the court on October 27, 2009 (Please find enclosed a copy). In the letter from Mr William Biggs dated December 23, 2009. He said I quote "There are certain issues that cannot be raised on direct appeal and that includes the issue of ineffective assistance of counsel". "Issue not raised in district court are reviewed for plain error. To show plain error, the defendant must show a forfeited error that is clear or obvious and that affects his substantial rights." US V GARY (10/2/2009) "If the defendant makes such a showing this court has the discretion

to correct this error but only if it seriously affects the fairness, integrity, or public reputation of judicial proceedings." Puckett V US (2009). In my last letter from my lawyer, William R Biggs, dated February 4, 2010 (Please find a copy of the letter enclosed) Mr Biggs said "Your records of appeal has arrived and your initial brief is currently set to be due on March 1, 2010. In all likelihood, I will have this extended NY one month to April 1, 2010. That was the last time I have heard from him. He never sent me a copy of my brief or has contacted me with any questions. I would like another appeal lawyer preferable not one from the Public Defenders Office

THANK YOU

A handwritten signature in black ink, appearing to read "Bryan K Dickson". The signature is stylized with a cursive-like flow.

Bryan K Dickson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION
2009 OCT 27 PM 3:55
CLERK OF COURT

UNITED STATES OF AMERICA

v.

BRYAN K. DICKSON

§
§
§
§
§

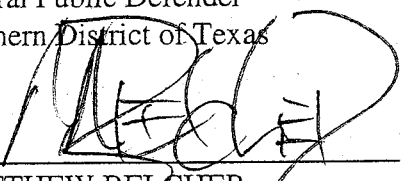
4:09-CR-040-A

NOTICE OF APPEAL

Notice is hereby given that pursuant to 28 U.S.C. § 1291 and 18 U.S.C. § 3742, defendant BRYAN K. DICKSON, through undersigned counsel, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the judgment of conviction and sentence in this matter.

Respectfully submitted,

RICHARD A. ANDERSON
Federal Public Defender
Northern District of Texas

BY: 
MATTHEW BELCHER
Assistant Federal Public Defender
Texas State Bar No. 24042242
819 Taylor Street; Rm. 9A10
Fort Worth, TX 76102
(817) 978-2753(TEL)
(817) 978-2757(FAX)

CERTIFICATE OF SERVICE

I, Matthew Belcher, hereby certify that on this the 27th day of October 2009, a copy of the foregoing notice was hand delivered to the United States Attorney's office at 801 Cherry Street, Suite 1700, Fort Worth, TX 76102-6897.


MATTHEW BELCHER



FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF TEXAS

RICHARD ANDERSON
Federal Public Defender

JASON D. HAWKINS
Supervisor, Appellate Section

525 GRIFFIN STREET
SUITE 629
DALLAS, TX 75202

PHONE (214)767-2746
FAX (214)767-2886

CHARLES BLEIL
LAURA HARPER
CARLTON McLARTY
DOUG MORRIS
JOHN NICHOLSON
SAM OGAN
JOEL PAGE
WILLIAM R. BIGGS
Assistant Federal Public Defenders

December 23, 2009

Bryan K. Dickson
Reg. No. 39172-177
USP Tucson
U.S. Penitentiary
P.O. Box 24550
Tucson, Az 85734

Dear Mr. Dickson:

My name is William Biggs, and I am the attorney from the Federal Public Defender who will be representing you on appeal. I am writing to introduce myself and explain to you briefly how the appeals process works.

An appeal consists of taking the cold record that we have before us and looking through the record to see if the trial court made any errors in denying any pretrial motions or in any rulings at your trial. By the "cold record," I mean the transcripts from all the district court proceedings and any documents that were filed in your case. We can only raise errors that appear in this record. If there are errors in your case that cannot be found in the record, unfortunately we will be unable to raise those issues on appeal.

There are certain issues that cannot be raised on direct appeal and that includes the issue of ineffective assistance of counsel. Even if it is apparent from the record that your attorney was ineffective, the issue is always better presented in a motion pursuant to 28 U.S.C. § 2255. This would be a motion that you would file after your direct appeal is over.

The Fifth Circuit has yet to set a due date for your initial brief, but it will probably not

received 1-4-2010 U.S.P. Tucson

be for a few months. Once we file your initial brief, the government has 30 days to respond with a brief of its own. If we believe that we need to respond to the government brief, we have 14 days after that to file a reply brief.

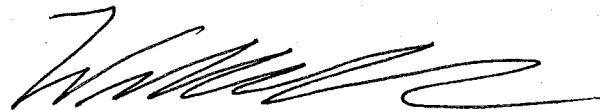
After all the briefs are filed, the staff attorneys at the Fifth Circuit Court of Appeals review the case and make recommendations about whether the judges should hear oral arguments, and what type of decision they believe is appropriate. These recommendations are sent to the judges, who decide whether oral argument should be granted or not. Oral argument is rarely granted in criminal cases, but when it is, it is an encouraging sign. In your case, if oral argument is granted, I would travel to the Fifth Circuit Court of Appeals to make the arguments.

The Court then decides the case by looking at the briefs, the record, and the oral argument, if one takes place. The Court does not have a fixed schedule in which to do this. As a very broad rule of thumb, our office estimates that the whole appellate process will take about a year from the date of the filing of the notice of appeal.

I welcome any questions and concerns that you may have about your appeal, as well as any possible appeal issues in your case. I welcome phone calls, but would recommend writing rather than telephoning. The most important reasons for this are because phone interviews are difficult to schedule and because a letter provides physical reminder to me of your precise concerns.

Please feel free to write me about any issues you feel are important in your case, but do so quickly. I look forward to working on your case and receiving a letter from you soon.
Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read 'William R. Biggs', with a stylized, flowing script.

William R. Biggs,
Assistant Federal Public Defender



FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF TEXAS

RICHARD ANDERSON
Federal Public Defender

JASON D. HAWKINS
Supervisor, Appellate Section

525 GRIFFIN STREET
SUITE 629
DALLAS, TX 75202

PHONE (214)767-2746
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CHARLES BLEIL
LAURA HARPER
CARLTON McLARTY
DOUG MORRIS
JOHN NICHOLSON
SAM OGAN
JOEL PAGE
WILLIAM R. BIGGS
Assistant Federal Public Defenders

February 4, 2010

Bryan K. Dickson
Reg. No. 39172-177
USP Tucson
U.S. Penitentiary
P.O. Box 24550
Tucson, Az 85734

Dear Mr. Dickson:

Mr. Belcher forwarded me your letter to him. Please direct any inquiries you have to me from this point forward, as I am now the attorney in charge of your case.

In regards to your fine, you must continue to pay it each month even while your case is pending on appeal. In regards to your cop-out requests, there is nothing I am going to be able to do on that front. Those matters are outside the scope of your criminal case before the Court, so you will need to continue submitting those requests through your case officer.

Your record of appeal has arrived and your initial brief is currently set to be due on March 1, 2010. In all likelihood, I will have this extended by one month to April 1, 2010.

I did receive your previous letter delineating a few of your questions and concerns. Nevertheless, please do not hesitate to continue writing me with any additional concerns if and when they arise.

Best Regards,

William R. Biggs,
Assistant Federal Public Defender

Bryan K Dickson #39172-177

US Penitentiary

Po Box 24550

Tucson, AZ 85734

February 10, 2010

Mr Williams R Biggs

Assistant Federal Public Defenders

525 Griffin Street, Suite 629

Dallas, Texas 75202

Mr William Biggs,

Thank you for your last letter keeping me informed about what is going on with my case. I received your letter opened when I received it with the regular mail. It was not opened in front of me, it was opened in the mailroom. I am enclosing a letter that I wrote to the mailroom concerning that letter. I would like you to follow up on it for me. It is a violation of my Attorney/Client privileges. What is your opinion after reading thur my initial briefs ?? Do you think I have a change in winning a appeal ?? This is the last hope that I have to get out of jail before I died. Please explain how you are going to proceed. I am taking a Post Conviction Relief course so that I better understand the process. As far as my glasses are concerned I have done everything possible to resolve this problem. I thought the Department Of Prison was responsible for my safety and medical needs. I had a eye exam on September 30, 2009 after many cop-outs to the eye doctor and

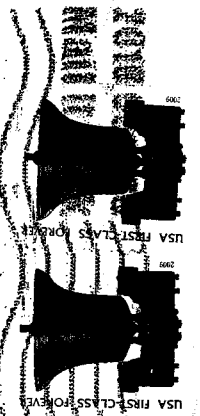
Bryan Dickson # 39172-177
U.S. Penitentiary
P.O. Box 24550
Tucson, AZ 85734

RECEIVED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FORT WORTH DIVISION

2010 APR -2 AM 11:16
CLERK OF COURT

TUCSON AZ 856
30 MAR 2010 PM 1 T

Intake



LEGAL MAIL

⇄ 39172-177 ⇄
Judge Terry R Means
US District Judge
501 W 10th Street Room 31
Fort Worth, TX - 76102
United States

LEGAL MAIL

Scanned image of the back of the envelope, showing faint, mirrored text from the reverse side. The text is mostly illegible but appears to be a return address or legal notice.